

CLOSED

**U.S. District Court
United States District Court for the District of Connecticut (New Haven)
CIVIL DOCKET FOR CASE #: 3:00-cv-00086-SRU**

Connecticut Post Ltd v. US Postal Service, et al
Assigned to: Judge Stefan R. Underhill
Demand: \$0
Cause: 05:552 Freedom of Information Act

Date Filed: 01/14/2000
Date Terminated: 04/11/2001
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Connecticut Post Ltd. Partnership

represented by **Ronald J. Cohen**
Tyler, Cooper & Alcorn
205 Church St., Po Box 1936
New Haven, CT 06509-1910
203-784-8200
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Timothy P. Jensen
Hinckley, Allen & Snyder, LLP
20 Church St.
Hartford, CT 06103
860.331.2654
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V.

Defendant

US Postal Service

represented by **Heather R. Epstein**
U.S. Attorney's Office
157 Church St., PO Box 1824
23rd Floor
New Haven, CT 06510
203-821-3700
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

William S. Henderson
/O Postmaster General, US Postal Svc
TERMINATED: 04/11/2000

represented by **Heather R. Epstein**
(See above for address)
TERMINATED: 04/11/2000
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Thomas Russell
/O Mgr Windsor Facilities Svc Office, US
Postal Svc
TERMINATED: 04/11/2000

represented by **Heather R. Epstein**
(See above for address)
TERMINATED: 04/11/2000
LEAD ATTORNEY
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Movant

Long Wharf Galleria, LLC

represented by **John Charles King**
Updike, Kelly & Spellacy, P.C.

One State St., Po Box 231277
Hartford, CT 06123-1277
860-548-2600
Email: jking@uks.com
LEAD ATTORNEY
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Movant**City of New Haven**

represented by **Thayer Baldwin, Jr.**
Office Of Corporation Counsel
City Of New Haven
165 Church St.
New Haven, CT 06510
203-946-7958
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
01/14/2000	1	COMPLAINT Filing Fee \$ 150.00 Receipt # 4606 (Former Employee) (Entered: 01/18/2000)
01/14/2000	2	APPEARANCE of Attorney for Connecticut Post Ltd --- Ronald J. Cohen (Former Employee) (Entered: 01/18/2000)
01/14/2000	3	MOTION by Connecticut Post Ltd for Vaughn Index (Former Employee) (Entered: 01/18/2000)
01/14/2000	4	MEMORANDUM by Connecticut Post Ltd in support of [3-1] motion for Vaughn Index (Former Employee) (Entered: 01/18/2000)
01/14/2000	5	ORDER on Pretrial Deadlines handed to counsel Discovery cutoff 7/15/00 ; Dispositive Motions due 8/14/00 Amended Pleadings due 3/14/00 Motions to Dismiss due 4/14/00 (Former Employee) (Entered: 01/18/2000)
01/18/2000		SUMMONS(ES) issued for US Postal Service, William S. Henderson, Thomas Russell (Former Employee) (Entered: 01/18/2000)
01/26/2000	6	SUMMONS Returned Executed on 1/20/00 as to US Postal Service (Former Employee) (Entered: 01/26/2000)
01/26/2000	7	SUMMONS Returned Executed on 1/20/00 as to William S. Henderson, Thomas Russell (Former Employee) (Entered: 01/26/2000)
01/26/2000	8	APPEARANCE of Attorney for US Postal Service, William S. Henderson, Thomas Russell --- Heather R. Epstein (Former Employee) (Entered: 01/26/2000)
01/31/2000	9	ORDER of Transfer (signed by Chief Judge Alfred V. Covello) to Judge Stefan R. Underhill (D'Onofrio, B.) (Entered: 01/31/2000)
02/09/2000	10	MOTION by US Postal Service, William S. Henderson, Thomas Russell to Dismiss (Brief Due 3/1/00) (Larsen, M.) (Entered: 02/09/2000)
02/09/2000	11	MEMORANDUM by US Postal Service, William S. Henderson, Thomas Russell in opposition to [3-1] motion for Vaughn Index by Connecticut Post Ltd (Larsen, M.) (Entered: 02/09/2000)
03/01/2000	12	MEMORANDUM by Connecticut Post Ltd in opposition to [10-1] motion to Dismiss by Thomas Russell, William S. Henderson, US Postal Service and MEMORANDUM by Connecticut Post Ltd in support of [3-1] motion for Vaughn Index (Part 1 of 2) (Larsen, M.) Modified on 03/02/2000 (Entered: 03/02/2000)
03/01/2000	12	MEMORANDUM by Connecticut Post Ltd in opposition to [10-1] motion to Dismiss by Thomas Russell, William S. Henderson, US Postal Service and MEMORANDUM by Connecticut Post Ltd in support of [3-1] motion for Vaughn Index (Part 2 of 2) (Larsen, M.) Modified on 03/02/2000 (Entered: 03/02/2000)

03/01/2000	13	AFFIDAVIT of Ronald J. Cohen Re [12-1] support memorandum by Connecticut Post Ltd, [12-1] opposition memorandum by Connecticut Post Ltd re: [10-1] motion to Dismiss by Thomas Russell, William S. Henderson, US Postal Service, [3-1] motion for Vaughn Index by Connecticut Post Ltd (Larsen, M.) (Entered: 03/02/2000)
03/24/2000	14	RULING granting in part, denying in part [10-1] motion to Dismiss, granting [3-1] motion for Vaughn Index (signed by Judge Stefan R. Underhill) 14 Page(s) (Cody, C.) (Entered: 03/24/2000)
04/06/2000	15	Return of Service on certified mail, return receipt as to US Postal Service, William S. Henderson, Thomas Russell (Jaiman, R.) (Entered: 04/07/2000)
04/11/2000	16	ANSWER to Complaint by US Postal Service, William S. Henderson, Thomas Russell (Cody, C.) (Entered: 04/11/2000)
04/11/2000	16	ANSWER to Complaint and Affirmative defenses by US Postal Service (Cody, C.) (Entered: 04/11/2000)
04/11/2000	17	NOTICE of filing Amended Complaint by Connecticut Post Ltd (Cody, C.) (Entered: 04/11/2000)
04/11/2000	18	AMENDED COMPLAINT by Connecticut Post Ltd amending [1-1] complaint (Cody, C.) (Entered: 04/11/2000)
04/13/2000	19	REPORT of Parties Planning Meeting (Warren, C.) (Entered: 04/14/2000)
04/28/2000	20	MOTION by US Postal Service for Summary Judgment (Brief Due 5/19/00) (Larsen, M.) (Entered: 05/01/2000)
04/28/2000	21	STATEMENT of Material Facts by US Postal Service regarding [20-1] motion for Summary Judgment (Larsen, M.) (Entered: 05/01/2000)
04/28/2000	22	MEMORANDUM by US Postal Service in support of [20-1] motion for Summary Judgment (Larsen, M.) (Entered: 05/01/2000)
05/02/2000	23	APPEARANCE of Attorney for Long Wharf Galleria -- John Charles King (Larsen, M.) (Entered: 05/03/2000)
05/02/2000	24	MOTION by Long Wharf Galleria to Intervene (Brief Due 5/23/00) (Larsen, M.) (Entered: 05/03/2000)
05/02/2000	25	MEMORANDUM by Long Wharf Galleria in support of [24-1] motion to Intervene (Larsen, M.) (Entered: 05/03/2000)
05/02/2000	26	MEMORANDUM by Long Wharf Galleria in support of [24-1] motion to Intervene (Larsen, M.) (Entered: 05/03/2000)
05/02/2000	27	AFFIDAVIT of William R. Cronin, Jr., Re [24-1] motion to Intervene by Long Wharf Galleria (Larsen, M.) (Entered: 05/03/2000)
05/02/2000	28	MOTION by Long Wharf Galleria for expedited decision (Brief Due 5/23/00) (Larsen, M.) (Entered: 05/03/2000)
05/02/2000	29	OBJECTIONS by Connecticut Post Ltd to [28-1] motion for expedited decision by Long Wharf Galleria (Larsen, M.) (Entered: 05/03/2000)
05/02/2000	32	MOTION by City of New Haven to Intervene (Brief Due 5/23/00) (Larsen, M.) (Entered: 05/05/2000)
05/02/2000	33	MOTION by City of New Haven for expedited decision (Brief Due 5/23/00) (Larsen, M.) (Entered: 05/05/2000)
05/03/2000	30	AMENDED ANSWER to Amended Complaint and Affirmative Defenses by US Postal Service : amends [16-1] answer by US Postal Service, [16-1] answer by Thomas Russell, William S. Henderson, US Postal Service (Warren, C.) (Entered: 05/03/2000)
05/03/2000	31	APPEARANCE of Attorney for City of New Haven -- Thayer Baldwin Jr. (Larsen, M.) (Entered: 05/05/2000)

05/05/2000		ENDORSEMENT denying [28-1] motion for expedited decision (signed by Judge Stefan R. Underhill) (Jaiman, R.) (Entered: 07/19/2000)
05/08/2000	34	CERTIFICATE OF SERVICE by City of New Haven (Jaiman, R.) (Entered: 05/10/2000)
05/08/2000	35	MOTION by Long Wharf Galleria for Reconsideration of order dated 5/5/00 re: [28-1] motion for expedited decision (Brief Due 5/29/00) (Jaiman, R.) Modified on 09/21/2000 (Entered: 09/21/2000)
05/08/2000	36	MEMORANDUM by Long Wharf Galleria in support of [35-1] motion for Reconsideration of order dated 5/5/00 re: [28-1] motion for expedited decision (Jaiman, R.) (Entered: 09/21/2000)
05/10/2000	37	MOTION by City of New Haven for as of right amendment to city of New Haven's memorandum of law in support of the motion of city of New Haven to intervene (Brief Due 5/31/00) (Jaiman, R.) (Entered: 05/10/2000)
05/10/2000	38	FIRST AMENDED MEMORANDUM by City of New Haven in support of [37-1] motion for as of right amendment to city of New Haven's memorandum of law in support of the motion of city of New Haven to intervene (Jaiman, R.) (Entered: 05/10/2000)
05/11/2000		ENDORSEMENT denying [33-1] motion for expedited decision. Nevertheless, the plaintiff is instructed to provide counsel for Long Wharf Galleria LLC and the City of New Haven with notice of all discovery currently pending or served on defendant U.S. Postal Service, until the court has ruled on the pending motions to intervene (signed by Judge Stefan R. Underhill) (Jaiman, R.) (Entered: 05/11/2000)
05/11/2000		ENDORSEMENT granting [35-1] motion for Reconsideration of order dated 5/5/00 re: [28-1] motion for expedited decision. However, the court's order of May 5, 2000 denying the Motion for Expedited Decision will not be modified. In the event the pending motions to intervene are granted, added parties will have an opportunity to join or oppose the pending motion for summary judgment prior to oral argument of a decision by the court. Accordingly, as things now stand, the movant cannot show prejudice from denial of its Motion for Expedited Decision (signed by Judge Stefan R. Underhill) (Jaiman, R.) (Entered: 09/21/2000)
05/19/2000	39	MOTION by Connecticut Post Ltd to Permit Limited Discovery on FOIA Claim (Brief Due 6/9/00) (Larsen, M.) (Entered: 05/22/2000)
05/19/2000	40	MEMORANDUM by Connecticut Post Ltd in opposition to [20-1] motion for Summary Judgment by US Postal Service and in support of [39-1] motion to Permit Limited Discovery on FOIA Claim (Part 1 of 2) (Larsen, M.) Modified on 05/22/2000 (Entered: 05/22/2000)
05/19/2000	40	MEMORANDUM by Connecticut Post Ltd in opposition to [20-1] motion for Summary Judgment by US Postal Service and in support of [39-1] motion to Permit Limited Discovery on FOIA Claim (Part 2 of 2) (Larsen, M.) (Entered: 05/22/2000)
05/19/2000	41	STATEMENT of Material Facts by Connecticut Post Ltd regarding [20-1] motion for Summary Judgment (Larsen, M.) (Entered: 05/22/2000)
05/19/2000	42	AFFIDAVIT of Ronald J. Cohen Re [20-1] motion for Summary Judgment by US Postal Service (Larsen, M.) (Entered: 05/22/2000)
05/22/2000	43	MEMORANDUM by Connecticut Post Ltd in opposition to [32-1] motion to Intervene by City of New Haven, [24-1] motion to Intervene by Long Wharf Galleria (Larsen, M.) (Entered: 05/22/2000)
06/02/2000	44	REPLY by Connecticut Post Ltd to response to [39-1] motion to Permit Limited Discovery on FOIA Claim by Connecticut Post Ltd, [20-1] motion for Summary Judgment by US Postal Service (Cody, C.) (Entered: 06/02/2000)
06/08/2000	45	REPLY by Connecticut Post Ltd to response to [39-1] motion to Permit Limited Discovery on FOIA Claim by Connecticut Post Ltd (Cody, C.) (Entered: 06/08/2000)

06/09/2000	46	APPEARANCE of Attorney for Connecticut Post Ltd --- Timothy P. Jensen (Warren, C.) (Entered: 06/12/2000)
06/09/2000	47	REPLY by City of New Haven to response to [32-1] motion to Intervene by City of New Haven (Larsen, M.) (Entered: 06/12/2000)
06/26/2000	48	MOTION by Long Wharf Galleria to Extend Time to properly file its Reply Brief in Support of its Motion to Intervene date not specified (Larsen, M.) (Entered: 06/27/2000)
06/28/2000		ENDORSEMENT granting [48-1] motion to Extend Time to properly file its Reply Brief in Support of its Motion to Intervene. The Clerk shall docket the reply brief, which is attached as Exhibit A to this motion. (signed by Judge Stefan R. Underhill) (Larsen, M.) (Entered: 06/29/2000)
06/28/2000	49	REPLY by Long Wharf Galleria to response to [24-1] motion to Intervene by Long Wharf Galleria (Larsen, M.) (Entered: 06/29/2000)
07/19/2000	50	RULING granting [24-1] motion to Intervene, granting [32-1] motion to Intervene but limits their intervention to the issue of whether an injunction prohibiting the sale of the postal service property should issue. The court denies LWG's and the City's motion to intervene in all other respects (signed by Judge Stefan R. Underhill 9 Page(s) (Jaiman, R.) (Entered: 07/19/2000)
08/16/2000	51	MOTION by Connecticut Post Ltd for Leave to File supplemental brief (Brief Due 9/6/00) (Jaiman, R.) (Entered: 08/16/2000)
08/17/2000	52	MEMORANDUM by Connecticut Post Ltd in opposition to [20-1] motion for Summary Judgment and in further support of limited discovery (Jaiman, R.) Modified on 08/18/2000 (Entered: 08/16/2000)
08/17/2000		ENDORSEMENT granting [51-1] motion for Leave to File supplemental brief (signed by Judge Stefan R. Underhill) (Jaiman, R.) (Entered: 08/18/2000)
09/06/2000	53	REPLY by US Postal Service to response to [20-1] motion for Summary Judgment by US Postal Service (Cody, C.) (Entered: 09/06/2000)
09/08/2000	54	NOTICE of Filing Original Affidavit by US Postal Service (Larsen, M.) (Entered: 09/08/2000)
09/08/2000	55	AFFIDAVIT of Elizabeth P. Martin by US Postal Service Re [20-1] motion for Summary Judgment by US Postal Service (Larsen, M.) (Entered: 09/08/2000)
09/13/2000	56	MOTION by US Postal Service for Protective Order Regarding depositions , &to Quash (Brief Due 10/4/00) (Sanders, C.) (Entered: 09/14/2000)
09/13/2000	57	MEMORANDUM by US Postal Service in support of [56-1] motion for Protective Order Regarding depositions (Sanders, C.) (Entered: 09/14/2000)
09/13/2000	58	AFFIDAVIT of Heather R. Epstein by US Postal Service Re [56-1] motion for Protective Order Regarding depositions by US Postal Service, [56-2] motion to Quash by US Postal Service (Sanders, C.) (Entered: 09/14/2000)
09/22/2000	59	MOTION by Connecticut Post Ltd to Extend Time for discovery deadline 75 days date not specified (Larsen, M.) (Entered: 09/25/2000)
09/22/2000	60	MOTION by Connecticut Post Ltd to Compel discovery (Brief Due 10/13/00) (Larsen, M.) (Entered: 09/25/2000)
09/22/2000	61	MEMORANDUM by Connecticut Post Ltd in support of [60-1] motion to Compel discovery (Larsen, M.) (Entered: 09/25/2000)
09/22/2000	62	AFFIDAVIT of Timothy P. Jensen Re [60-1] motion to Compel discovery by Connecticut Post Ltd (Larsen, M.) (Entered: 09/25/2000)
09/22/2000	63	MEMORANDUM by Connecticut Post Ltd in opposition to [56-1] motion for Protective Order Regarding depositions by US Postal Service, [56-2] motion to Quash by US Postal Service (Larsen, M.) (Entered: 09/25/2000)

09/27/2000		ENDORSEMENT granting [59-1] motion to Extend Time for discovery deadline 75 days. Discovery deadline reset to 12/11/00. reset Discovery deadline to 12/11/00 (signed by Judge Stefan R. Underhill) (Larsen, M.) (Entered: 09/28/2000)
10/06/2000	64	REPLY by US Postal Service to response to [56-1] motion for Protective Order Regarding depositions by US Postal Service (Jaiman, R.) (Entered: 10/06/2000)
10/13/2000	65	MEMORANDUM by US Postal Service in opposition to [60-1] motion to Compel discovery by Connecticut Post Ltd (Sanders, C.) (Entered: 10/13/2000)
10/24/2000		ENDORSEMENT granting nunc pro tunc [37-1] motion for as of right amendment to city of New Haven's memorandum of law in support of the motion of city of New Haven to intervene, in light of court's 7/19 ruling partially granting City of New Haven's motion to intervene. (signed by Judge Stefan R. Underhill) (Larsen, M.) (Entered: 10/25/2000)
11/27/2000	66	MOTION by Connecticut Post Ltd, US Postal Service to Modify [19-1] Rule 26(f) report (Larsen, M.) (Entered: 11/28/2000)
11/29/2000		ENDORSEMENT granting [66-1] motion to Modify [19-1] Rule 26(f) report reset Scheduling Order Deadlines: Discovery cutoff to 2/15/01 ; Dispositive Motions due 3/15/01 (signed by Judge Stefan R. Underhill) (Larsen, M.) (Entered: 11/29/2000)
01/03/2001		ENDORSEMENT denying [20-1] motion for Summary Judgment (signed by Judge Stefan R. Underhill) (Jaiman, R.) (Entered: 01/04/2001)
01/03/2001		ENDORSEMENT denying [56-1] motion for Protective Order Regarding depositions, denying [56-2] motion to Quash (signed by Judge Stefan R. Underhill) (Jaiman, R.) (Entered: 01/04/2001)
01/03/2001		ENDORSEMENT denying [39-1] motion to Permit Limited Discovery on FOIA Claim (signed by Judge Stefan R. Underhill) (Jaiman, R.) (Entered: 01/04/2001)
01/04/2001		ENDORSEMENT denying [60-1] motion to Compel discovery (signed by Judge Stefan R. Underhill) (Jaiman, R.) (Entered: 01/04/2001)
04/06/2001	67	STIPULATION of dismissal of case with prejudice as to US Postal Service, Long Wharf Galleria, City of New Haven (Larsen, M.) (Entered: 04/09/2001)
04/11/2001		ENDORSEMENT [67-1] stipulation so ordered. The case is hereby dismissed w/prejudice pursuant to Rule 41(a)(1)(ii) of the FRCP. The clerk is instructed to close the file. (signed by Judge Stefan R. Underhill) (Larsen, M.) (Entered: 04/11/2001)
04/11/2001		Case closed (Larsen, M.) (Entered: 04/11/2001)